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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRYAN DRYDEN,

Plaintiff,

v.

STATE OF NEVADA ET AL.,

Defendant

Case No.: 2:16-cv-01227-JAD-EJY

**STIPULATION TO EXTEND
DISCOVERY
[SIXTH REQUEST]**

Plaintiff Bryan Dryden by and through his *pro bono* counsel, Justin V. Alper, and Defendant Ted Nielson by and through his counsel, Aaron D. Ford, Nevada Attorney General of the State of Nevada, and Austin T. Barnum, Senior Deputy Attorney General, agree and have stipulated to extend discovery and other deadlines in this case for general purposes. The previous deadlines were set in ECF No. 190. The parties agree that more time is needed to review documents, conduct depositions, written questions and that there may be records and perhaps additional evidence that still need to be obtained through discovery.

1 The attorneys met and conferred on July 8, 2022 whereby they agreed to a general
2 extension of discovery by 90 days. The issue of reactivating the deadline for experts was
3 proposed by Plaintiff's counsel, Justin V. Alper. However, the defense does not agree to
4 reactivate the deadline for expert witnesses at this time because the defense is already conducting
5 an investigation into the suspicious/tampered document in this case (the nurse's Unusual
6 Occurrence Report), and because the defense feels that a forgery expert is unnecessary, and
7 finally the defense expressed concerns that reactivating the deadline for experts could confuse
8 the jury and cause the trier of fact to believe that the case is about a document instead of an
9 assault. However, Plaintiff does not agree with such arguments.
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13 *Nonetheless*, the parties have stipulated to extend all deadlines (except the issue of
14 experts) by approximately 90 days as outlined with the dates indicated directly below:
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16 In particular, the proposed new deadlines would be as follows:
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19 1. Discovery to remain open until November 8, 2022.
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21 3. Dispositive Motions due December 8, 2022.
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23 4. Pretrial Order due January 9, 2023.*
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25 5. FRCP 26(a)(3) Disclosures and any objections thereto to be included in the
26 final pre-trial order.
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1 6. The depositions of Glenn Fowler and James Murdock shall be completed,
2 provided that their deposition dates have been adjusted by mutual agreement of the parties for
3 convenience purposes.

4 *Unless a dispositive motion is pending on that date, then this deadline shall
5 automatically extend the due date for the pre-trial order to 30 days after the pending dispositive
6 motion is resolved.
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9 Therefore, the parties stipulate and request that this Court grant an extension of
10 approximately 90 days for general discovery matters with the proposed dates as indicated above.
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14 **Certificate of Meet and Confer Completed**

15 The attorneys in this case, Justin V. Alper and Austin T. Barnum conducted a meet-and-
16 confer on July 8, 2022 and agreed to extend the discovery deadline for general discovery, but
17 could not agree on the issue of reactivating the deadline for use of experts. Various points were
18 discussed for about 40 minutes as indicate above. The parties came to an agreement on the
19 stipulation to extend general discovery deadlines.
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1 Respectfully submitted,
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4 Dated this 12th day of July, 2022
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7 By: /s/ Justin V. Alper
8 Justin V. Alper (Bar No. 12923C)
9 *Attorney for Plaintiff Bryan Dryden*
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11 By: /s/ Austin T. Barnum
12 Austin T. Barnum (Bar No. 15174)
13 *Senior Deputy Attorney General*
14 *Attorney for Defendant Ted Nielson*
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19 IT IS SO ORDERED.

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21 UNITED STATES MAGISTRATE JUDGE
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23 Dated: July 13, 2022
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